

NO. 63625

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 16 1997
Returned to applicant for correction JAN 09 1998
Corrected application filed MAR 06 1998
Map filed MAR 06 1998

The applicant **Edward C. Allred & Charmay Allred**, hereby makes application for permission to change the manner and place of use of a portion of water heretofore appropriated under Claim 754 of the Carson River Decree; Said Decree Entered by the District Court for the District of Nevada in that Certain Action Entitled "The United States of America, Plaintiff Vs. Alpine Land & Reservoir Company, A Corporation, ET AL, Defendants, Civil No. D-183 BRT

1. The source of water is **Carson River**
2. The amount of water to be changed **71.15 Ac. Ft. (28.46 Acres)**
3. The water to be used for **Municipal**
4. The water heretofore permitted for **As decreed**
5. The water is to be diverted at the following point **Upper Cardelli Ditch - West bank in NE Corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14, T.16N., R.21E., M.D.B.&M.**
6. The existing permitted point of diversion is located within **Unchanged**
7. Proposed place of use **See Attachment "A"**
8. Existing place of use **See Attachment "B"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **As decreed**
11. Description of proposed works **Existing diversion structure on the Carson River**
12. Estimated cost of works **Completed**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **Five (5) years**
15. Remarks: **See Attachment "C"**

By **Gregory M. Bilyeu-Agent**
s/Gregory M. Bilyeu
P. O. Box 70458
Reno, Nevada 89570-0458

Compared my/cms ds/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place and manner of use of a portion of Claim No. 754, of the Carson River as heretofore granted under the Final Carson River Decree No. D-183, in the District Court of the United States in and for the District of Nevada, is issued subject to the terms, conditions and irrigation period imposed in said Final decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 63623, 63624, and 63625 shall not exceed 303.9 acre-feet annually.

The State Engineer will not honor any will-serve letters for subdivision approval based on this permit until such time that the infrastructure is in place to deliver the water approved under this permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 71.15 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

August 24, 2002

Proof of completion of work shall be filed before:

September 24, 2002

Water must be placed to beneficial use on or before:

August 24, 2006

Proof of the application of water to beneficial use shall be filed on or before:

September 24, 2006

Map in support of proof of beneficial use shall be filed on or before:

September 24, 2006

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 24th day of, August A.D. 2001

Hugh Ricci, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By: 70459 as decreed

ATTACHMENT "A"

7. Proposed Place of Use

T.16N., R.21E., M.D.B. & M.:

All of Section 1; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; All of Section 11; SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 12; Portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13; E $\frac{1}{2}$, Section 14; SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$, Section 23; N $\frac{1}{2}$ Section 24; Portions of the NW $\frac{1}{4}$, Section 26; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 28; NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 33; N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 34.

T.16N., R.22E., M.D.B. & M.:

All of Section 3; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4; Portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5; NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 6; W $\frac{1}{2}$ W $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 9; NW $\frac{1}{4}$ Section 16; All of Section 17; S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 18; All of Section 19.

T.17N., R.21E., M.D.B. & M.:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36.

T.17N., R.22E., M.D.B. & M.:

S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Section 31; S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33; SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 34.

ATTACHMENT "B"

8. Existing Place of Use - Claim 754 (108.2 acres)

20.0 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, N. Low. Cardelli Ditch, Section 4, T.16N., R.22E., M.D.B. & M.
 18.0 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, N. Low. Cardelli Ditch, Section 4, T.16N., R.22E., M.D.B. & M.
 0.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, S. of Low. Cardelli Ditch, Section 4, T.16N., R.22E., M.D.B. & M.
 2.8 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW Cor., Section 4, T.16N., R.22E., M.D.B. & M.
 6.6 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE. Cor., Section 33, T.17N., R.22E., M.D.B. & M.
 25.7 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S. of Ditch, Section 33, T.17N., R.22E., M.D.B. & M.
 7.4 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, W. of Mariani F., Section 33, T.17N., R.22E., M.D.B. & M.
 15.5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, S. of Low. Cardelli Ditch, Section 4, T.16N., R.22E., M.D.B. & M.
 0.4 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, W. of Borda Fen., Section 33, T.17N., R.22E., M.D.B. & M.
 3.4 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, E. & S. of Borda Fen., Section 33, T.17N., R.22E., M.D.B. & M.
 7.9 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, S. of Borda Fen., Section 33, T.17N., R.22E., M.D.B. & M.

A total of 28.46 acres, are being removed from irrigation under this change application as delineated below:

2.76 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE. Cor., Section 33, T.17N., R.22E., M.D.B. & M.
 25.7 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S. of Ditch, Section 33, T.17N., R.22E., M.D.B. & M.

ATTACHMENT "C"

15. Remarks

This application is being filed along with two (2) other applications to change the manner and place of use of a portion of the surface rights appurtenant to the Rolling "A" Ranch in Lyon County. Total combined duty of all three (3) applications shall not exceed 303.90 acre-feet annually. This reflects the reduction in the duty from 4.5 acre-feet per acre to 2.5 acre-feet per acre as a result in the change of the manner of use. Portions of the eight (8) applications to change the underground rights of the Rolling "A" Ranch will be supplemental to these rights.

Upon final resolution of the development agreement by Lyon County (Dayton Utilities), the rights will be transferred into joint ownership in anticipation of future development of the property.

For existing points of diversion and places of use, please refer to maps on file under the Final Decree of the Carson River.